

LEGISLATIVE MINUTES

MARLBORO TOWNSHIP COUNCIL MEETING

December 17, 2007

The Marlboro Township Council held its regularly scheduled meeting on December 17, 2007 at 8:00 P.M. at the Marlboro Municipal Complex, 1979 Township Drive, Marlboro, New Jersey.

Council President Cantor opened the meeting and announced that pursuant to the provisions of the Open Public Meetings Act, notice of the regularly scheduled meeting of the Township Council of the Township of Marlboro was faxed to the Asbury Park Press, the Star Ledger and News Transcript on January 5, 2007; faxed to the Board of Education Office; posted on the Bulletin Board of the Municipal Building and filed in the office of the Municipal Clerk.

The Clerk called the Roll.

PRESENT: Councilwoman Morelli, Councilman Pernice, Council Vice President Rosenthal, Councilwoman Tragni and Council President Cantor.

Also present were: Mayor Robert Kleinberg, Andrew Bayer, Esq., Business Administrator Judith Tiernan, Municipal Clerk Alida Manco, and Deputy Clerk Deborah Usalowicz.

Mayor-elect Jonathan Hornik, Councilman-elect Frank La Rocca and Councilwoman-elect Randi Marder were in attendance.

Councilwoman Morelli moved that the minutes of November 7, 2007, be approved. This motion was seconded by Councilman Pernice and the minutes were passed on a roll call vote of 5 - 0 in favor.

Council President Cantor opened the Public Hearing on Ordinance # 2007-25 (Amend Chapter 113 - Certificate of

Occupancy). After the Public Hearing was held and closed, discussion followed. After discussion, consensus of Council was to proceed, and the following Resolution Res. # 2007-396/Ord. # 2007-25 (Amend Chapter 113 - Certificate of Occupancy) was introduced by reference, offered by Councilwoman Tragni, seconded by Council Vice President Rosenthal and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-396

BE IT RESOLVED by the Township Council of the Township of Marlboro that an Ordinance entitled:

ORDINANCE # 2007-25

AN ORDINANCE AMENDING CHAPTER 113 "PROPERTY MAINTENANCE", § 113-2 "CERTIFICATE OF CONTINUED OCCUPANCY" OF THE CODE OF THE TOWNSHIP OF MARLBORO

which was introduced on December 6, 2007, public hearing held December 17th be adopted on second and final reading this 17th day of December, 2007.

BE IT FURTHER RESOLVED that notice of the adoption of this ordinance shall be advertised according to law.

The following Res. # 2007-378 (Transfers) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-378

RESOLUTION AUTHORIZING BUDGET TRANSFERS
DURING LAST TWO MONTHS OF THE FISCAL YEAR

WHEREAS, N.J.S.A. 40A: 4-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore and where it has been further determined that there is an excess in any appropriation over the above the amount deemed to be necessary to fulfill the purpose of such appropriation,

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Marlboro does hereby authorize the transfers among the Calendar Year 2007 Municipal Budget as follow:

From:

Snow Removal S&W	8,000.00
Township Council S&W	3,500.00
Finance S&W	30,000.00
Tax Assessor S&W	7,500.00
Grounds Maintenance S&W	10,000.00
Parks & Recreation Functions S&W	10,000.00

To:

Recreation S&W	2,500.00
Municipal Court S&W	2,500.00
Legal OE	33,000.00
Administration S&W	4,000.00
Police S&W	25,000.00
Administration OE	2,000.00

Totals	\$ 69,000.00	\$ 69,000.00
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The following Res. # 2007-397 (Cancelling Swim Operating Capital Outlay Appropriation) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor. Chief Financial Officer Ulrich Steinberg was present and explained the resolution.

RESOLUTION # 2007-397

WHEREAS, appropriations exist in the 2007 Swim Operating budget that have been deemed to not be needed for the operations of 2007, and

WHEREAS, appropriations can be cancelled to surplus in the year budgeted,

NOW, THEREFORE, BE IT RESOLVED that the amount of \$75,000.00 be hereby cancelled and removed from the 2007 Swim Operating Capital Outlay appropriation and credited to the Swim Operating Surplus account.

The following Res. # 2007-398 (Authorizing the Purchase of new CCTV Equipment Service Works, Inc.) was introduced by reference, offered by Councilman Pernice, seconded by Council President Cantor and passed on a roll call vote of 5 - 0 in favor. Lt. Nicholas Barbella was present and answered all Council's questions.

RESOLUTION # 2007-398

RESOLUTION AUTHORIZING THE PURCHASE OF NEW CCTV
EQUIPMENT FOR THE MARLBORO TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Marlboro Township Police Department contacted certain companies to request estimates for the purchase of new CCTV Equipment; and

WHEREAS, the Police Department received the following estimates:

1. Service Works, Inc., Farmingdale, New Jersey - \$17,985.33
2. Security Services & Technologies, Eatontown, New Jersey - \$20,482.42

WHEREAS, the lowest estimate for the purchase of the aforementioned items is less than \$21,000.00 in the contract year, thereby allowing a contract to be awarded pursuant to N.J.S.A. 40A:11-3 without public advertising for bids; and

WHEREAS, the Administration and the Police Department have reviewed the estimates received and recommend that a contract be awarded to Service Works, Inc. for the purchase of the aforementioned items; and

WHEREAS, funds are available in Budget Account Number 7-01- -312-276 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted for the purchase of new

CCTV Equipment from Service Works, Inc., 95 Megill Road, Farmingdale, New Jersey 07727; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Service Works, Inc., Farmingdale, NJ
- b. Township Administrator
- c. Township Police Department
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

The following Res. # 2007-399 (Authorizing the Purchase of a new Security System, was introduced by reference, offered by Councilman Pernice, seconded by Council Vice President Rosenthal and passed on a roll call vote of 5 - 0 in favor. Lt. Nicholas Barbella was present and answered all Council's questions.

RESOLUTION # 2007-399

RESOLUTION AUTHORIZING THE PURCHASE OF A NEW SECURITY
SYSTEM FOR THE MARLBORO TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Marlboro Township Police Department contacted certain companies to request estimates for the purchase of a new security system; and

WHEREAS, the Police Department received the following estimates:

1. Service Works, Inc., Farmingdale, New Jersey - \$17,314.75
2. Security Services & Technologies, Eatontown, New Jersey - \$20,484.12

WHEREAS, the lowest estimate for the purchase of the aforementioned items is less than \$21,000.00 in the contract year, thereby allowing a contract to be awarded pursuant to N.J.S.A. 40A:11-3 without public advertising for bids; and

WHEREAS, the Administration and the Police Department have reviewed the estimates received and recommend that a

contract be awarded to Service Works, Inc. for the purchase of the aforementioned items; and

WHEREAS, funds are available in Budget Account Number 7-01- -312-276 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted for the purchase of a new security system from Service Works, Inc., 95 Megill Road, Farmingdale, New Jersey 07727; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Service Works, Inc., Farmingdale, NJ
- b. Township Administrator
- c. Township Police Department
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

The following Res. # 2007-400 (Requesting Commissioner to adopt regulation Fro additional Bus Stops) was introduced by reference, offered by Councilwoman Morelli, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-400

A RESOLUTION AUTHORIZING THE ADDITION OF CERTAIN BUS STOP LOCATIONS ALONG THE ROUTE 9 NORTH CORRIDOR AND ALONG THE ROUTE 79 NORTH CORRIDOR WITHIN THE TOWNSHIP OF MARLBORO

WHEREAS, the Township Council of the Township of Marlboro, County of Monmouth, State of New Jersey desires to add certain bus stop locations along the Route 9 North Corridor and the Route 79 North Corridor within the Township of Marlboro; and

WHEREAS, the Township Council has determined that it is in the bests interests of the resident of the Township of Marlboro to add certain bus stops along the Route 9 North Corridor and along the Route 79 North Corridor; and

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the following bus stop locations are hereby added in accordance with N.J.S.A. 39:4-8(e) and signs shall be erected at the following bus stops:

Route 9 North:

1. At jughandle in front of building #480 (existing structure)
2. 75 feet north of Willow Road (existing structure)
3. Southside on Route 9 North, intersecting with County Road 520 (existing structure)
4. On/off ramp at Union Hill Road (existing structure)
5. Entrance at Regal Shopping Plaza (existing structure)
6. Union Hill Road Park and Ride (existing structure)

Route 79 North

1. 75 feet north of Newton Street (existing shelter)
2. 75 feet north of Inverness Drive (proposed shelter)

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Commissioner of Transportation
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Gluck Walrath, LLP

The following Res. # 2007-401 (Authorization to Bid - Replacement of Existing Bus Shelters) was introduced by reference, offered by Councilman Pernice, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-401

BE IT RESOLVED by the Township Council of the Township of Marlboro that the Business Administrator is hereby authorized and directed to advertise for open competitive bids for the following said work, and/or materials as required by law:

Replacement of Existing Bus Shelters

The following Res. # 2007-379 (Amend Professional Service Contract Labor/Special Counsel - Scarinci and Hollenbeck) was introduced by reference, offered by Council Vice President Rosenthal, seconded by Councilman Pernice and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-379

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE
PROFESSIONAL SERVICES CONTRACT BETWEEN THE
TOWNSHIP OF MARLBORO AND SCARINCI AND HOLLENBECK, LLC
FOR THE PROVISION OF LEGAL SERVICES ON LABOR MATTERS
FOR THE TOWNSHIP OF MARLBORO

WHEREAS, there exists a need for the Township Attorney to employ special counsel to provide legal services on labor matters to the Township of Marlboro; and

WHEREAS, the Township Attorney is authorized pursuant to Section 4-70 of the Code of the Township of Marlboro and the Professional Services Agreement between the Township of Marlboro and Gluck Walrath, LLP to hire such additional counsel as he deems necessary and the Township Attorney deemed it necessary and in the best interest of the municipality to hire Scarinci and Hollenbeck, LLC to provide legal services to the Township of Marlboro on labor matters; and

WHEREAS, the Township Council adopted Resolution #2007-14, authorizing the Township of Marlboro to enter into a contract with Scarinci and Hollenbeck, LLC in an amount not to exceed \$50,000.00, and resolved that sufficient funds for the total project would be available from account number 7-01- -050-283; and

WHEREAS, Scarinci and Hollenbeck, LLC has performed and will continue to perform professional services for the Township of Marlboro on labor matters and it is necessary to amend the original contract between Scarinci and Hollenbeck, LLC and the Township of Marlboro in order to compensate Scarinci and Hollenbeck, LLC for its past and future services; and

WHEREAS, the Chief Financial Officer previously certified in writing that the contract between Scarinci and

Hollenbeck, LLC and the Township of Marlboro will exceed \$17,500; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to amend the contract between Scarinci and Hollenbeck, LLC and the Township of Marlboro to provide compensation for legal services; and

WHEREAS, the 2007 budget has been adopted by the Township and the Chief Financial Officer has certified that sufficient funds for the total project are available; and

WHEREAS, Scarinci and Hollenbeck, LLC completed and submitted a Marlboro Township Business Entity Disclosure Certification, pursuant to N.J.S.A. 19:44A-20.8 and Section 26-1, *et seq.* of the Code of the Township of Marlboro and previously completed and submitted the necessary disclosure of political contributions pursuant to N.J.S.A. 19:44A-20.26; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* and the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Township Attorney is hereby authorized to amend the original contract between Scarinci and Hollenbeck, LLC and the Township of Marlboro for the provision of legal services on labor matters and to provide compensation in an amount not to exceed \$48,000.00, and that such amendment shall be in a form legally acceptable to the Township Attorney; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Scarinci and Hollenbeck, LLC
- b. Township Business Administrator
- c. Township Chief Financial Officer

d. Gluck Walrath, LLP

Councilwoman Morelli motioned to table Res. # 2007-390 (Amend Professional Service Contract Addition to Building & Police Dept. Arcari & Iovino Architects, P.C.) to a future meeting. This was seconded by Councilman Pernice and was passed on a roll call vote of 5 - 0 in favor of tabling.

The following Res. # 2007-402 (Amend Professional Service Contract Farmland - Birdsall) was introduced by reference, offered by Councilwoman Morelli, seconded by Council Vice President Rosenthal and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-402

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE
PROFESSIONAL SERVICES CONTRACT BETWEEN THE TOWNSHIP
OF MARLBORO AND BIRDSALL ENGINEERING, INC. FOR THE
PROVISION OF ENGINEERING SERVICES IN CONNECTION WITH
THE COMPREHENSIVE FARMLAND PLAN FOR THE
TOWNSHIP OF MARLBORO

WHEREAS, the Township Council previously adopted Resolution #2007-329, authorizing the Township of Marlboro to enter into a contract with Birdsall Engineering, Inc. in an amount not to exceed \$10,850.00; and

WHEREAS, Birdsall Engineering, Inc. has performed and will continue to perform professional services for the Township of Marlboro and it is necessary to amend the original contract between Birdsall Engineering, Inc. and the Township of Marlboro in order to compensate Birdsall Engineering, Inc. for its past and future services; and

WHEREAS, the Township Council has deemed it necessary and in the best interest of the municipality to amend the contract between Birdsall Engineering, Inc. and the Township of Marlboro to provide compensation for engineering services in connection with the Comprehensive Farmland Plan; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds for the total project are available; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.* and the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor is hereby authorized to sign an amendment to original contract between Birdsall Engineering, Inc. and the Township of Marlboro for the provision of engineering services and to provide compensation in an amount not to exceed \$3,000.00, and that such amendment shall be in a form legally acceptable to the Township Attorney; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- a. Birdsall Engineering, Inc.
- b. Township Business Administrator
- c. Township Chief Financial Officer
- d. Gluck Walrath, LLP

The following Res. # 2007-403 (Auth. Settlement Ostrovsky v. Township of Marlboro) was introduced by reference, offered by Councilwoman Tragni, seconded by Councilman Pernice and passed on a roll call vote of 5 - 0 in favor. Tax Assessor Walter Kosul was present and answered Council's questions.

RESOLUTION # 2007-403

RESOLUTION AUTHORIZING SETTLEMENT OF THE
2006 AND 2007 TAX APPEALS INVOLVING BLOCK 180, LOT 28,
KNOWN AS 43 NIKKI COURT IN THE TOWNSHIP OF MARLBORO

WHEREAS, an appeal of the 2006 and 2007 real property tax assessment of Block 180, Lot 28, 43 Nikki Court, in the Township of Marlboro have been filed; and

WHEREAS, said property is owned by Steven Ostrovsky.;
and

WHEREAS, settlement of the 2006 and 2007 appeal is in the best interest of the Township; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Counsel of the Township of Marlboro, in the County of Monmouth, and State of New Jersey, as follows:

1. Settlement of the tax appeal filed with the Tax Court of New Jersey challenging the assessed valuation of Block 180, Lot 28 is hereby authorized as follows:

YEAR	ORIGINAL ASSESSMENT	PROPOSED ASSESSMENT	PROPOSED EQUALIZED VALUE
2006	\$890,600	\$710,400	\$1,500,000
2007	\$890,600	\$640,500	\$1,500,000

2. This settlement is conditioned upon the taxpayer waiving any interest due on the refund of taxes.

3. The Tax Assessor is hereby authorized to apportion the value between the land and improvements for each settlement.

4. All municipal officials are hereby authorized to take whatever actions may be necessary to implement the terms of this Resolution.

5. This Resolution shall take effect immediately.

The following Res. # 2007-404 (Interlocal Service Agreement with Mon. County Micro System Software) was introduced by reference, offered by Councilman Pernice and seconded by Councilwoman Tragni. Discussion followed between Council, Township Business Administrator Judith Tiernan, Chief Financial Officer Ulrich Steinberg, Mayor-Elect Hornik, Councilman-elect La Rocca and Tax Assessor Walter Kosul. After discussion, the resolution was passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-404

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MARLBORO AND THE

COUNTY OF MONMOUTH FOR THE "MONMOUTH COUNTY MOD IV SERVICES
INTER-LOCAL SERVICE AGREEMENT" FOR THE 2008 TAX YEAR

WHEREAS, the Township of Marlboro desires to enter into a partnership with Monmouth County to provide MOD IV services; and

WHEREAS, it is intended that these services will provide CAMA (Computer Assisted Mass Appraisal) software containing details of each property as well as "costing tables" utilized to estimate the value of each component; and

WHEREAS, the Township Council finds that it would be in the best interest of the Township of Marlboro to execute an Interlocal Services Agreement with Monmouth County for these services; and

WHEREAS, the CAMA conversion cost from Vital to Microsystems (\$1.00 per line item) is \$14,131.00 and MOD IV service for 2008 is \$5,228.47;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that the Mayor be and hereby is authorized to execute an Interlocal Services Agreement, in a form legally acceptable to the Township Attorney, between the Township of Marlboro and Monmouth County for the MOD IV services; and

BE IT FURTHER RESOLVED, that the Township Council of the Township of Marlboro hereby authorize the expenditure in the amount of \$19,359.47 for implementation of this service; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Monmouth County Tax Administrator
- b. Township Administrator
- c. Gluck, Walrath

The following Res. # 2007-405 (Interlocal Service Agreement with Mon. County MSI - Tax Collection and Server Software) was introduced by reference, offered by Councilman Pernice, seconded by Council Vice President Rosenthal and passed on a roll call vote of 5 - 0 in favor. There was a discussion between Council President Cantor, Business Administrator Judith Tiernan, Chief Financial Officer Ulrich Steinberg,

Tax Collector Shirley Giaquinto, Assistant Tax Collector Diane Giaquinto and Andy Bayer, Esq. Mayor-Elect Hornik asked to add a thirty day clause to the contract in order for Tax Collector Giaquinto to assess the software.

RESOLUTION # 2007-405

RESOLUTION AUTHORIZING THE PURCHASE OF TAX
COLLECTION SOFTWARE FOR THE TOWNSHIP OF MARLBORO
STATE CONTRACT #A81242

WHEREAS, the Township of Marlboro Administration Department has recommended that the Township purchase tax collection software from MSI, Nine South Ninth Street, Stroudsburg, PA 18360 under State Contract #A81242 for an amount not to exceed \$14,120.00; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to provide said computer software to the Township of Marlboro; and

WHEREAS, funds are available in MCIA Account Numbers Y-01-55-012-902 and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said computer software;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase tax collection software from MSI, Nine South Ninth Street, Stroudsburg, PA 18360 under State Contract #A81242 for an amount not to exceed \$14,120.00; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. MSI, Stroudsburg, PA
- b. Township Administrator

- c. Township Chief Financial Officer
- d. Gluck Walrath, LLP

The following Res. # 2007-406 (Setting Inauguration Mtg. - 1/1/2008, Town Hall, 12 Noon and Re-organization Mtg. - 1/3/2008 Town Hall, 8:00 PM) was introduced by reference, offered by Councilman Pernice, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.

RESOLUTION # 2007-406

BE IT RESOLVED by the Township Council of the Township of Marlboro that it will hold its inauguration meeting on January 1, 2008 at 12 Noon at the Town Hall, 1979 Township Drive, Marlboro, New Jersey 07746. Citizen's Voice will be limited to 15 minutes.

BE IT FURTHER RESOLVED that the Township Council of the Township of Marlboro will hold its reorganization meeting on January 3, 2008 at 8 PM at the Town Hall, 1979 Township Drive, Marlboro, New Jersey 07746. Citizen's Voice will be limited to 15 minutes.

As the consent agenda, the following Resolutions were introduced by reference, offered by Councilman Pernice, seconded by Councilwoman Tragni and passed on a roll call vote of 5 - 0 in favor.: Res. #2007-407 (Purchase of Police Vehicle (Detective) from insurance reimbursement, Res. #2007-408 (Award of State Contract - Three Police Vehicle (Patrol), Res. #2007-409 (Auth. to apply for Safe Corridor Grant), Res. #2007-410 (Redemption Tax Sale Cert. - Various), Res. #2007-411 (Veteran Deduction - Various), Res. #2007-412 (Refunds for overpayments - Various), Res. #2007-413 (Redemption Tax Sale Cert. - B. 412.07, L. 35).

RESOLUTION # 2007-407

A RESOLUTION AUTHORIZING THE PURCHASE OF A 2008 CHEVROLET
IMPALA 4 DOOR SEDAN LS FOR THE TOWNSHIP OF MARLBORO
POLICE DEPARTMENT PURSUANT TO THE COOPERATIVE PURCHASING
PROGRAM ADMINISTERED BY THE DIVISION OF PURCHASE AND
PROPERTY IN THE NEW JERSEY
DEPARTMENT OF TREASURY

WHEREAS, the Township of Marlboro is in need of a police vehicle for the Marlboro Township Police Department; and

WHEREAS, funds have been made available for the purchase of a police vehicle through the recovery of insurance reimbursement proceeds, and

WHEREAS, the State of New Jersey makes its contracts available to public entities through the Cooperative Purchasing Program which is a collaborative effort among all of the statewide buying entities to improve efficiency, reduce cost and improve the quality of procurements throughout the State; and

WHEREAS, the State of New Jersey, Department of Treasury, Division of Purchase and Property Purchase Bureau administers the Cooperative Purchasing Program and has awarded a contract for the period November 21, 2007 through November 20, 2008 for the provision of various vehicles, automobiles, sedans, station wagons, and crossovers; and

WHEREAS, in accordance with N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.1, et seq., the Township of Marlboro is authorized to purchase items listed above in accordance with the Cooperative Purchasing Program administered by the Division of Purchase and Property in the Department of Treasury, and

WHEREAS, the Administration and the Marlboro Township Police Department have determined it is in the best interests of the Township of Marlboro to purchase a 2008 Chevrolet Impala 4 Door Sedan LS vehicle for the Township of Marlboro Police Department in accordance with the specifications set forth in the Notification of Award from the Division of Purchase and Property Purchase Bureau.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that a contract for the purchase of a 2008 Chevrolet Impala 4 Door Sedan LS vehicle through the Cooperative Purchasing Program be and hereby is awarded to Hertrich Fleet Services, and that the Mayor is authorized to execute a contract, in a form legally acceptable to the Township Attorney, between the Township of Marlboro and Hertrich Fleet Services, Inc. for the purchase of a 2008 Chevrolet Impala 4 Door Sedan LS vehicle for the Township of Marlboro Police Department in an amount not to exceed \$15,299.00, and in accordance with the bid proposal submitted to the State of New Jersey, Department of Treasury, Division of Purchase and Property Purchase Bureau; and

BE IT FURTHER RESOLVED that the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available for said contract from Account Number 07-15-55-901-289; and

BE IT FURTHER RESOLVED, a certified copy of this Resolution shall be provided to each of the following:

- a. Hertrich Fleet Services
- b. State of New Jersey, Department of Treasury, Division of Purchase and Property Purchase Bureau
- c. Township Administrator
- d. Township Chief Financial Officer
- e. Gluck Walrath LLP.

RESOLUTION #2007-408

RESOLUTION AUTHORIZING THE PURCHASE OF THREE (3) NEW
2008 FORD CROWN VICTORIA POLICE INTERCEPTORS
AND RELATED EQUIPMENT
STATE CONTRACT #A70462

WHEREAS, the Marlboro Township Police Department has recommended that the Township purchase three (3) new 2008 Ford Crown Victoria Police Interceptors and related equipment from Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 under State Contract #A70462 not to exceed \$70,092.00; and

WHEREAS, pursuant to N.J.S.A. 40A:11-12, a municipality may, without advertising for bids, purchase goods under any contract for such goods entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, it is in the interest of the citizens of the Township of Marlboro, County of Monmouth and State of New Jersey to provide said vehicles to the Township of Marlboro; and

WHEREAS, funds are available in MCIA Account Number Y-05-55-012-951 (\$62,240.58), Account Number X-04-55-959-953 (\$6,605.93), and 7-01- -106-298 (\$1,245.49) and have been certified to by the Chief Financial Officer of the Township of Marlboro; and

WHEREAS, the Township Council desires to approve the purchase of said vehicles and related equipment;

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Township Council of the Township of Marlboro that authorization is hereby granted to purchase three (3) new 2008 Ford Crown Victoria Police Interceptors and related equipment from Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 under State Contract #A70462 not to exceed \$70,092.00; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Winner Ford, Cherry Hill, NJ
- b. Township Administrator
- c. Township Police Department
- d. Township Chief Financial Officer
- e. Gluck Walrath, LLP

RESOLUTION # 2007-409

RESOLUTION AUTHORIZING A GRANT APPLICATION TO BE FILED
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION (NJDOT)
FOR THE SAFE CORRIDOR GRANT PROGRAM FOR THE MARLBORO
TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Township of Marlboro Police Department desires to apply for and obtain funding from the State of New Jersey for \$47,000 to purchase an Automated License Plate Reader and other police equipment; and

BE IT THEREFORE RESOLVED, that the Township of Marlboro does hereby authorize the application for such funds; and upon receipt of the funding agreement from the State of New Jersey, does further authorize the execution of the funding agreement; and also upon receipt of the fully executed agreement from the State does further authorize the expenditure of funds pursuant to the terms of the agreement between the Township of Marlboro and the State of New Jersey;

BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign

the agreement and any other documents necessary in connection therewith and act as representatives of the aforementioned organization.

RESOLUTION # 2007-410

WHEREAS, the rightful owners of several properties have redeemed tax sale certificates totaling \$49,343.08 as per Schedule "A",

WHEREAS, the holders of the above-mentioned tax sale certificates are entitled to the amount of the sale plus interest and costs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro that the amount of \$49,343.08 be refunded to the certificate holders as per Schedule "A",

SCHEDULE "A"

<u>LIEN NO</u>	<u>BLOCK/LOT</u>	<u>LIEN HOLDER</u>	<u>AMOUNT</u>
07-4 Darryl Drive	133/13	Nasdom, LLC 1527 E. 35 Street Brooklyn, NY 11234	\$ 5,378.23
07-5 Darryl Drive	133/15	MPR Properties, LLC 2118 Washington Valley Road Martinsville, NJ 08836	5,003.73
07-6 Darryl Drive	133/16	MPR Properties, LLC 2118 Washington Valley Road Martinsville, NJ 08836	4,790.21
07-7 Darryl Drive	133/17	CCTS Tax Liens I, LLC 141 Shreve Avenue Barrington, NJ 08007	5,600.76
07-8 Darryl Drive	133/18	Municipal Certificates c/o F. Neimann, Esq. Juniper Plaza, Route 9 South Freehold, NJ 07728	5,557.12
07-9 Darryl Drive	133/19	Stuart Lasher P.O. Box 83 Milltown, NJ 08550-0083	5,959.17

07-10	133/20	Culmac Investors, Inc.	5,710.58
Darryl Drive		P.O. Box 251	
		Monmouth Beach, NJ 07750	
07-11	133/21	Elliot Loeb-Keogh Plan	5,647.96
Darryl Drive		1 Lakeview Drive	
		Saratoga Springs, NY 12866	
07-12	133/22	Culmac Investors, Inc.	5,695.32
7 Darryl Drive		P.O. Box 251	
		Monmouth Beach, NJ 07750	
TOTAL:			<u>\$49,343.08</u>

RESOLUTION # 2007-411

WHEREAS, Veteran deductions totaling \$1,000.00 have been granted as per the attached Schedule "A" for the year 2007,

WHEREAS, taxes for the year 2007 have been paid in full on the above-referenced block & lots,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to direct the Tax Collector to refund these deductions to the respective taxpayers as per Schedule "A".

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>AMOUNT</u>
132.14	12 C0212	Jacob & Violet Schneck	\$250.00
212 Potts Road		212 Potts Road	
		Morganville, NJ 07751	
176	82	Martin & Linda Korsch	250.00
6 Burr Avenue		6 Burr Avenue	
		Morganville, NJ 07751	
371	168	Stanley Ehrman	250.00
82 Peasley Drive		82 Peasley Drive	
		Marlboro, NJ 07746	
385	29	Joseph & Lillian Asciutto	250.00
29 Lesley Drive		29 Lesley Drive	

Marlboro, NJ 07746

TOTAL: \$1,000.00

RESOLUTION # 2007-412

WHEREAS, the attached list in the amount of \$2,401.92 known as Schedule "A", is comprised of amounts representing overpayments for 2007 taxes,

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of Marlboro to refund the above-mentioned overpaid amounts as per the attached Schedule "A",

SCHEDULE "A"

<u>BLOCK</u>	<u>LOT</u>	<u>ASSESSED OWNER</u>	<u>AMOUNT</u>
132.14	7 C0207	Chelsea Commons, LLC Attn: Susan Chelder 242 Route 79, Suite 9 Morganville, NJ 07751 (Former Assessed Owner)	\$ 100.79
178	290 C0186	Stephen Greenfield 186 Nathan Drive Morganville, NJ 07751	1,774.88
193.13	84	Zvi Leshetz 447 Edinburgh Place Marlboro, NJ 07746	526.25
TOTAL:			<u>\$ 2,401.92</u>

RESOLUTION # 2007-413

WHEREAS, current sewer charges in the amount of \$115.84 for Block 412.07 Lot 35, located at 19 Woodpecker Way, assessed to Abigail Fishman, have been paid by CCTS Tax Lien I, lienholder of the Tax Sale Certificate #07-27 on the above-referenced property,

NOW, THEREFORE, BE IT RESOLVED by the Council of

the Township of Marlboro that the above-mentioned sewer charges in the amount of \$115.84 be refunded to the Western Monmouth Utilities Authority.

At 11:00PM, Councilwoman Tragni moved that the meeting go into executive session for reason of discussing litigation. This was seconded by Councilwoman Morelli, and as there was no objection, the Clerk was asked to cast one ballot. Recess was called and the executive session reconvened at 11:10 PM.

RESOLUTION # 2007-414

WHEREAS, it is determined by the governing body of the Township of Marlboro that it is necessary on the 17th day of December, 2007 to go into executive session for the purpose of discussing those items that are particularly exempted from the Open Public Meetings Act, namely, litigation.

BE IT FURTHER RESOLVED that the governing body shall adjourn to executive session for the purpose of discussing said aforementioned item and that such executive session should take approximately 20 minutes. Those items discussed in executive session shall remain confidential until such time as confidentiality is no longer required. Action may be taken following the executive session.

At 11:30 PM, Councilwoman Morelli moved to open the meeting. This was seconded by Council Vice President Rosenthal, and as there was no objection, the Clerk was asked to cast one ballot.

At 11:31 PM, Council Vice President Rosenthal moved that the meeting be adjourned. This was seconded by Councilman Pernice, and as there was no objection, the Clerk was asked to cast one ballot.

MINUTES APPROVED: January 17, 2008

OFFERED BY: Tragni

AYES: 3

SECONDED BY: Rosenthal

NAYS: 0

ABSTAIN: La Rocca, Marder

ALIDA MANCO,
MUNICIPAL CLERK

JEFF CANTOR,
COUNCIL PRESIDENT